

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

(108)  
RB2/18/03

No. 03-1016

Cleary

vs.

Kyler, et al.

John Cleary, Appellant

(Middle District of Pennsylvania Civil No. 00-cv-02125)

FILED  
HARRISBURG  
FEB 13 2003  
MARY E. D'ANDREA, CLERK  
Per John Cleary  
DEPUTY CLERK

O R D E R

Pursuant to Rule 3(a) of the Federal Rules of Appellate Procedure and Third Circuit LAR 3.3 and Misc. 107.1(a),

It is O R D E R E D that the above-entitled case is hereby dismissed for failure to timely prosecute,

It is FURTHER O R D E R E D that a certified copy of this order be issued forthwith as the mandate.

A True Copy:

Marcia M. Waldron

Marcia M. Waldron,  
Clerk

For the Court,

Marcia M. Waldron

Clerk

Date: February 13, 2003

cc:

Mr. John Cleary  
Raymond W. Dorian, Esq.

**MARCIA M. WALDRON**  
**CLERK**

OFFICE OF THE CLERK  
**UNITED STATES COURT OF APPEALS**  
FOR THE THIRD CIRCUIT  
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601 MARKET STREET  
PHILADELPHIA 19106-1790

TELEPHONE  
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Middle-Harrisburg Clerk of District Court  
(District)

Date February 13, 2003

**Cleary v. Kyler**  
(Caption)

C. of A. No. 03-1016

John Cleary  
(Appellant)

00-cv-02125  
(D.C. No.)

**Enclosures:**

February 13, 2003 Certified copy of C. of A. Order by the Clerk  
(Date)

\_\_\_\_ Released (Record) (Supplemental Record - First - Second - Third)

\_\_\_\_ Copy of this form to acknowledge receipt and return to C. of A.

Record not released at this time until appeal(s) closed at No. (s)

Please forward Certified List in Lieu of Record to this office.

\_\_\_\_ The certified copy of order issued as the mandate on  
is recalled.

**Receipt Acknowledge:**

(Name)

(Date)

Lynn Lopez (267) - 299 - 4922  
Deputy Clerk Telephone Number

**Deputy Clerk**

(267) -299- 4922

Telephone Number

Rev. 3/13/00

Appeals (Certified List in Lieu of Record)